

**CITY OF TAYLORSVILLE  
CITY COMMISSION  
REGULAR MEETING**

**January 5, 2016**

The City of Taylorsville City Commission held a Regular Meeting on January 5, 2016 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor  
Jack Proctor, Commissioner  
Ellen Redmon, Commissioner  
Kathy Spears, Commissioner  
Beverly Ingram, Commissioner

Staff present:

Steve Biven, City Clerk  
Randy McConnell, Comptroller  
Lisa Ware, Co-Treasurer

Phil Crumpton, Police Chief  
Harold Compton, Public Works Director

Item #1

Mayor Pay called the meeting to order at 5 p.m. with a brief moment of silence and then led the group in a recital of the Pledge of Allegiance.

Item #2 – *Consent Calendar*

**Motion was made by Commissioner Proctor and seconded by Commissioner Spears to approve the consent calendar for the month of December. Motion carried with a vote of 5-0.**

Item #3- *Comments by the Mayor*

At this time Mayor Pay sworn in the city's newest Police Officer Andrew Raque.

Item #4 – *Report on Meetings Attended by Commission Members*

Commissioner Redmon stated that she had attended the Fiscal Court meeting as a citizen speaking in regards to the entrance for the new Elementary School.

Item #5 – *Committee Reports*

a) *Engineering Projects (Sisler-Maggard Engineering, PLLC)*

Joe Sisler provided an update on the Kings Church Road waterline project which started in December. Salmon Construction started at the east end of the project and have 15.9% of the work completed. L&L started at the HWY 660 end of the project and have completed 5.5% of

the work. They have had some issues with hitting rock the first day and a water line the third day.

Mr. Sisler also gave an update in regards to the School Annexation. He said they have given the school a breakdown of how they allocated the flows and other information involving the pump station and design. They are hoping to have this out to bid by the end of January. Clerk Biven stated that the MOU was presented at the School Board meeting and we are waiting for them to return it back to the City.

Clerk Biven also stated that there were some payments that needed to be made in regards to the Kings Church Road project. **Motion was made by Commissioner Spears and seconded by Commissioner Proctor to pay Salmon Construction \$31, 554.25 for Contract #17 for their work that is completed in regards to the project.** Motion carried with a vote of 5-0.

**Motion was made by Commissioner Proctor and seconded by Commissioner Redmon to pay L & L Excavating \$48,391.28 for their work that is completed in regards to the project.** Motion carried with a vote of 5-0.

**Motion was made by Commissioner Spears and seconded by Commissioner Proctor to pay Sisler-Maggard for their inspection work and design. The inspection work payment is for \$7,901.91 and the design work is for \$1,098.30.** Motion carried with a vote of 5-0.

b) *Main Street (Beverly Ingram)*

Ms. Ingram mentioned they are working on their 2016 Main Street certification.

**Motion was made by Commissioner Spears and seconded by Commissioner Proctor to approve Ms. Ingram's hours for the month of December.** Motion carried with a vote of 4-0 with Commissioner Ingram abstaining.

Item #6- *Old Business*

a) Strategic Plan

Clerk Biven stated that there were four dates for the commission to decide when they wanted to meet to prepare for the strategic planning. The dates were January 19<sup>th</sup>, 25<sup>th</sup> of February 2<sup>nd</sup> or 4<sup>th</sup>. A tentative date of February 4<sup>th</sup> at 5:00 pm has been set.

Item #7 – *New Business*

a) Claude Owen

Mr. Owen was present to ask the commission for water and sewer service at the old water plant. He understands that the water has been cut off. The original water line was moved due to the work on the blue bridge project. The property is not zoned residential and there no sewer connection. He stated that someone is living there now but they are supposed to be moving out. The property is to be signed back over to Mr. Owen. Commissioner Ingram asked Mr. Compton if this needed to go to Planning and Zoning and Division of Water before it comes to the commission. He stated that there is a meter on the site but at the time that he saw it was not hooked up to anything. Mr. Compton said he has spoken with Julie at Planning and Zoning and



the property is actually zoned as "Conservation". If they want a zone change, they have to have something from Division of Water regarding the location in a flood zone. The tenant did send the paperwork to Division of Water, but he did not fill it out correctly. The Division of Water sent it back to the tenant and as far as DOW knows they have not received it back from him. Julie is not going to bring it before the board for rezoning. Right now the city has not taken any action to get water back to him and Mr. Compton has no idea where the sewer is going or will go. The tenant is living in a camper and Mr. Compton was told that he pulls the camper out and takes it to a dumpsite to remove the sewage and then pulls it back in. Mr. Owen stated that he has not talked to anyone at Planning & Zoning. Commissioner Proctor said he thought the city needs 30 to 60 days to find what they need to do before they could get a price on it. Mr. Owen said that there was a meter put in several years ago and he never turned it on until the tenant moved onto the property and he requested the water to be turned on. Mr. Compton suggested that Mr. Owen talk to Julie and see what needs to be done. The city can get water to the property, but the sewer is more difficult. Mayor Pay stated that the commission was going to need a little bit of time to sort this out.

b) 57 Jefferson Street

Clerk Biven stated that in the commissioner's packet was the directive from the motion that was made from October 6<sup>th</sup> meeting; Motion was to grant a 3 month extension and have Ms. Stewart bring in copy of papers after each apartment was inspected. Mrs. McKinley and Ms. Stewart were present to give an update them on the progress of the apartments at 57 Jefferson Street. Ms. Stewart stated that someone is interested in buying the property. Mrs. McKinley read a letter from the person who is interested in buying it. Mrs. McKinley said that there is still some work to be done. This has been an issue for at least 5 years now. Chief Nation stated he remembered when they turned the power off and placed an X on the building to alert them that the property was empty and was unsafe to go in. He said they were told at that time there would have to be an inspection done before the power could be turned back on. Mrs. McKinley said she thought the gentleman wanting to buy it would like to put a business on the property. Commissioner Redmon said she would like to see if he is interested in putting a business in there and that the commissions wait until they can have a meeting with this gentleman to see what happens.

**Motion was made by Commissioner Ingram and seconded by Commissioner Redmon to condemn the property and tear it down. Commissioner Ingram voted in favor. Mayor Pay, Commissioner Proctor, Commissioner Spears and Commissioner Redmon voted against. Motion failed with a vote of 4-1.**

c) Department Reports

i) Financial Report – Randy McConnell, City Comptroller

Mr. McConnell handed out an overtime report before the meeting. He did not have the banking all complete yet due to it being the first of the month.

**General Fund – Revenues**

Year to Date Insurance Premium Revenue is \$83,006.

Year to Date Occupational License Receipts are \$148,989.

Year to Date Property Taxes net of Discounts are \$154,443 this is with 91% of the taxes being collected.

Year to Date Business Licenses are \$18,433.

### **General Fund - Expenses**

Year to Date Street Repair and Maintenance Expenses of \$20,269 are \$3,462 over Budget.

**The Municipal Road Aid Fund Balance is currently \$96,882.**

### **Water and Sewer Enterprise Fund - Revenues**

Year to Date Water Revenue of \$1,750,713 is \$63,787 under Budget.

Year to Date Meter Set Revenue of \$62,400 is \$27,600 under Budget.

Year to Date Sewer Revenue of \$176,609 is \$609 under Budget.

Year to Date Sewer Impact Fees of 18,000 are equal to Budget.

### **Water and Sewer Enterprise Fund - Expenses**

Year to Date Louisville Water Expense of \$617,872 is 7,128 under Budget.

Year to Date Old Sewer Plant Removal Expense is \$143,324.

Year to Date Old Waterline Removal Expense is \$23,008.

### **Other**

Clerk Biven stated that the commission had voted to approve payment of bills on Invoice #16; the Robinson Pipe Cleaning, the Magnet and the legal fees. Since the bills have been paid and the cancelled checks are back, they are ready to pass a resolution and to send in having the city committed to pay these bills. This will need a motion to have the Mayor sign the master agreement invoice. This information is what is needed to go to FEMA so the city can be reimbursed for 80% of the cost. What has been done in the past is to make a motion to pass the resolution to submit those bills and to have the Mayor sign the master agreement. The total amount of the payment the city is going to get back is \$21,972.64. **Motion was made by Commissioner Proctor and seconded by Commissioner Redmon to submit those bills for the resolution to have Mayor Pay sign the master agreement. Motion carried with a vote of 5-0.** Also attached is the Quarterly Report that covers the information and progress since the last one was signed. Clerk Biven said that the report probably needs a motion for that to be signed and sent in to FEMA. Commissioner Redmon mentioned that they have moved the completion date up to September 15<sup>th</sup>. Clerk Biven stated the commission needs to meet with them in January to define their course of action and the changes they have make still the previous report. **Motion was made by Mayor Pay and seconded by Commissioner Spears to approve the Quarterly Report and send it in.** Commissioner Redmon wanted to know what they were basing the completion date on since they moved it up to September 15, 2016. They have not broken any ground yet. The original date was for April 30, 2017. Mayor Pay amended his original **Motion to include for it to go back to the original performance date of April 30, 2017. Motion carried with a vote of 5-0.** Clerk Biven is to set up a meeting with DLZ.



ii) Public Safety

a) Police— Phil Crumpton, Chief

Chief Crumpton handed out the normal reports: the officer's monthly report, the county runs made for the month, the overtime report. He said the department ended up with about 15.5 hours of overtime for the month of December. The officers are doing a great job on the business checks. Chief Crumpton gave an update on the ABC Licenses. All of the businesses have turned their paperwork and fees except for the Mexican Restaurant and County Mart. Lieutenant Jewell is going to be making contact with them this week.

Chief Crumpton mentioned the Supreme Court's decision in regards to the 911 Emergency Services Funding. The Spencer County 911 Committee voted unanimously to send a letter to Fiscal Court. He said they are \$8,000 under budget for the year. They are underfunded with the number of landlines there are currently and there will be even less next year. The committee recommended looking at what they did in Campbell County area in which they levied a \$45 fee to each resident and each business in the county so that everybody is paying for 911, not just landline holders. Chief Nation stated that this would not be in addition to the current fee. The committee is proposing taking the \$1.84 that is on a landline now and multiplying it by 12 (\$22.08), drop the surcharge on the landline and put that fee on each occupied dwelling. This would generate about \$140,000 and would pay the expense of AT&T - roughly \$98,000. That would leave approximately \$40,000 to be utilized for equipment, radios, etc.

Chief Crumpton showed off the new shotguns. The new ones have a sling on them which makes it easier to carry. They have a place to carry additional ammo and improved sights. All the officers have been issued their new guns and they will be having some additional training.

Chief Crumpton stated he had spoken with the Louisville Sport Authority in regards to the Louisville Bike Rally that is coming in June.

Chief Crumpton mentioned some stats for 2015. They worked 65 crashes in the city last year and opened 68 criminal cases. Of those 68 cases he estimates they have already closed 50 of them.

iii) Utility – Harold Compton, Public Works Director

a) Water- Mr. Compton gave an update on the MXUs. He said he has spoken with C.I. Thornburg in regards to the new reader. The new reader should be here around the first of February and they should be here to get everything lined up in the truck and to make sure it is comparable to our billing software. The end of this week or the beginning of next week our frequency will be assigned to us and after that they will be here to load the software onto the handhelds so we can go ahead and start using the new MXUs that we have. They will also send an activator to turn on the MXUs and that should be here the end of the next week or the beginning of the next week. Mr. Compton said we were able to trade in 195 MXUs at no cost. Hopefully after this we can move forward and see how it is going to work.

Mr. Compton gave an update on the Damaged Truck. The insurance has totaled the truck. They will give us \$27,950 for the replacement cost. They have also said that if we wanted to purchase the salvage vehicle we could do that for \$2,000. Clerk Biven stated that they have considered doing that since the truck still had a good motor in it. It could at least serve as a vehicle for aiding us in plowing the snow. The snow plow is already on that truck. Mr. Compton had a cost for what it would be to take the snow plow off the truck if they decide to do that. If you don't keep the truck to use for plowing snow than you are going to have to put a snow plow on the new truck at a cost of \$4,795.

Mr. Compton had two prices for a new truck; the first one was for a Ford F-250 at the price of \$41,768.81 and the second price is for a Ford F-350 is \$43,581.91. The trucks are basically the same except one is heavier and can carry more weight on it. Mayor Pay asked Mr. Compton what it would cost if they purchased the damaged truck to get it fitted out the way it needs to be. Ricky Hall has looked at the truck and he said it would not take a whole a lot to get it where you could use it as a snow plow. If you use it as a utility truck, the bed is messed up and Mr. Hall's plans were to removed bed and put just a regular bed on it or either repair the bed on it enough were you would not be using the doors on the utility bed - provided that the frame is not bent He seems to think he can get it on the road for less than \$4,000 just to use it as a snow plow truck. Mr. Compton thought it would be a good idea to do this. **Motion was made by Commissioner Proctor and seconded by Mayor Pay to abide by Mr. Compton's recommendation to purchase the F-350 and to purchase the totaled truck for \$2,000. Motion carried with a vote of 5-0.** They will use the gas powered F-250 to plow the snow and spread the salt. Mr. Compton will be training the new guys on the salt spreader.

b) Sewer – Mr. Compton did not have anything to discuss in this area.

c) Streets – Clerk Biven stated that the new lights are installed but are not turned on yet.

b) General Government

This item was discussed earlier in the meeting.

c) Other New Business

There was no New Business to discuss.

Item #8– ***Legal – John Dudley Dale***

a) Road Maintenance Ordinance & Adjoining Owners Responsibilities

Mr. Dale read the second reading of Ordinance 362 in regards to the Owners and Adjoining Owners of Business, Commercial and/or Industrial Real Estate being responsible for maintaining a private road, street or thoroughfare over or through real estate owned by the owner and/or by the adjoining owners which is open to the public use. **Motion was made by Commissioner Proctor and seconded by Commissioner Redmon to approve Ordinance #362. Motion carried with a vote of 5-0.**



Mr. Dale stated he had a couple of items for Executive Session: Tony Stevens' Worker's Comp and a couple of Open Records Requests that the commission needs to be made aware of and the consequences of those requests.

**Item #9- *Elected Officials' Comments***

Commissioner Proctor voiced his concerns in regard to DLZ. There has been over \$100,000 and we still don't know what they want to do yet.

Commissioner Ingram said she spoke with someone in regards to repairing the street signs.

Commissioner Spears thanked Jim Williams and Collis Rogers for coming to the meeting.

Commissioner Redmon stated that she felt the same way about DLZ and that they needed to stay on top of that. She also said she wanted the commission to know what she has done in regards to the new school. She is also actively seek an Immediate Care Center for here, there are some different organizations looking at some property here. She does want to keep the county involved. She also said that she and Andrea Shindlebower will be meeting to work on the rest of the job descriptions.

***EXECUTIVE SESSION***

**Item #10**

**Motion was by Commissioner Proctor and seconded by Commissioner Spears to Adjourn to Executive Session Pursuant to KRS 61.815, notice is given for the need of a closed session to discuss the following:**

Proposed and Pending Litigation, KRS 61.810(1) (c).

**1) Trageser Litigation**

These matters need to be discussed in closed session to protect confidentiality.

**2) Klotz lawsuits**

These matters need to be discussed in closed session to protect confidentiality.

Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee KRS 61.810(f).

These matters need to be discussed in closed session to protect confidentiality.

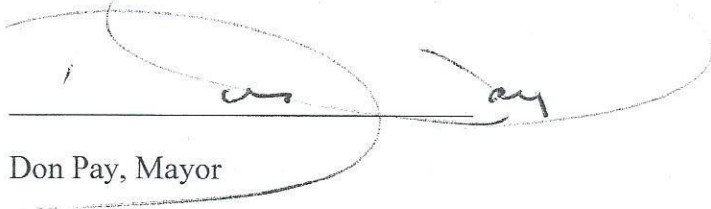
**Motion carried with a vote of 5-0.**

***RETURN TO OPEN SESSION***

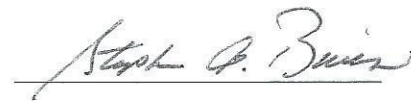
Item # 11 - Motion was made by Commissioner Proctor and seconded by Commissioner Ingram to return to open session. Motion carried with a vote of 5-0

***ADJOURN MEETING***

Item # 12 - Motion was made by Commissioner Proctor and seconded by Commissioner Ingram to adjourn meeting. Motion carried with a vote of 5-0.



Don Pay, Mayor



Stephen A. Biven, City Clerk